

SENATE BILL 538

M2

11r1843

By: **Senators Colburn and Pipkin**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Oyster Sanctuaries – Designation**

3 FOR the purpose of prohibiting the Department of Natural Resources from
4 designating more than a certain percent of the available oyster habitat in the
5 waters of the State as oyster sanctuaries; and generally relating to oyster
6 sanctuaries.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 4–1006.2
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2010 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Natural Resources**

15 4–1006.2.

16 **(A) THE DEPARTMENT MAY NOT DESIGNATE MORE THAN 25% OF THE**
17 **AVAILABLE OYSTER HABITAT IN THE WATERS OF THE STATE AS OYSTER**
18 **SANCTUARIES.**

19 **[(a)] (B)** The Department annually shall publish maps and coordinates of
20 oyster sanctuaries, closed oyster harvest reserve areas, and areas closed to shellfish
21 harvest by the Department of the Environment.

22 **[(b)] (C)** (1) The Department shall provide the publications required
23 under this section to each tidal fish licensee who pays the oyster surcharges required
24 under § 4–701(e) of this title.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Before a person may catch oysters under a tidal fish license that
2 has an oyster authorization and for which the oyster surcharges have been paid, the
3 person shall certify to the Department on a form the Department prescribes that the
4 person received the publications required under this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2011.